

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

EMONNIE DION BRANCH

No. 3:12-00099
Chief Judge Haynes

*denied
without prejudice
to evidence of
prior offenses
at trial limited
to trial
not stipulated
to his
acts
related
to the
defendant's
alleged
felon status
Jill JES
11/26/12*

DEFENDANT'S MOTION IN LIMINE REGARDING PRIOR CONVICTIONS

Defendant Emmonie Branch moves the Court to enter an order providing that, in the event Mr. Branch stipulates that he has been convicted of a crime punishable by imprisonment exceeding one (1) year, the Government may not refer to, introduce evidence of, or elicit testimony about the name or nature of Mr. Branch's prior convictions in the presence of the venire or jury for any purpose, including impeachment, but may only refer only to his stipulation.

FACTS

Mr. Branch has been indicted for one count of being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924.

Mr. Branch has filed a motion requesting the Government to give notice whether it intends to introduce evidence of prior convictions for impeachment but has not yet received a response to that motion. Mr. Branch therefore does not know which, if any, such convictions the Government intends to introduce.

To the best of his knowledge, Mr. Branch has felony convictions for attempted possession of a controlled substance (Nevada, February 20, 2001), drug trafficking (Nevada, November 20, 2001), and felon in possession of a weapon (Tennessee, January 7, 2009).